

Mr. Adkins moved to adopt the report of the Committee on Legislative Expenses.

Upon which the yeas and nays were called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, L'Engle, Malone, McCreary, McLeod, Perkins, Sloan, Stokes, Wilson, Withers, Zim—21.

Nays—Carney, Cook, Culpepper, Davis, Hudson, Johnson, Massey, McMullen, Miller, Williams—10.

So the report was adopted.

The consideration of—

Senate Bill No. 51:

A Bill to be entitled An Act to amend Section 1 of Chapter 5920, Laws of Florida, entitled "An Act prescribing punishment of misdemeanors in this State when not otherwise provided by statute."

Was resumed.

Mr. Hilburn offered the following amendment to Senate Bill No. 51:

Strike out all of Section 4.

Mr. Hilburn moved the adoption of the amendment.

Which was agreed to.

Senate Bill No. 51, as amended, was referred to the Committee on Engrossed Bills.

The President handed down the following appointments to serve on the Committee on Judicial Circuits:

Messrs. Massey, Hudson, Stokes, Henderson, Johnson, L'Engle, Davis, Withers, McMullen, Williams and Malone.

Mr. Johnson moved that the Senate do now adjourn until 10 o'clock tomorrow morning.

Which was agreed to.

Whereupon the Senate stood adjourned until 10 o'clock a. m., Thursday, April 13, 1911.

THURSDAY, APRIL 13, 1911.

The Senate met pursuant to adjournment.
The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—31.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of April 12 was dispensed with.

The Journal of April 12 was corrected and approved as corrected.

Mr. Flournoy, Chairman of the Committee on Judiciary A, moved that 200 copies each of Senate Bills Nos. 120, 91, 16, 12 and 89 be printed.

Which was agreed to.

Mr. Zim, Chairman of the Committee on Organized Labor, moved that 200 copies of Senate Bill No. 68 be printed.

Which was agreed to.

Mr. Dayton, Chairman of the Committee on Temperance, moved that 200 copies of Senate Bill No. 68 be printed.

Which was agreed to.

Mr. Williams, Chairman of the Committee on Education, moved that 200 copies of Senate Bill No. 113 be printed.

Which was agreed to.

Mr. Hosford, Chairman of the Committee on Pensions, moved that 200 copies of Senate Bills Nos. 56 and 83 be printed.

Which was agreed to.

REPORTS OF COMMITTEES.

The Committee on Education reported the following bills:

Unfavorably on—

Senate Bill No. 62:

A Bill to be entitled An Act to provide for the forma-

tion and disbursement of a public school teachers pension and retirement fund.

Also unfavorably on—

Senate Bill No. 66:

A Bill to be entitled An Act to provide for the issuing of teachers first grade certificates, also State certificates, to persons holding a diploma from the normal department of the University of Florida, or from the normal department of the Florida State College for Women, and other chartered institutions of Florida.

Also unfavorably on—

Senate Bill No. 107:

A Bill to be entitled An Act: A Joint Resolution proposing to amend Section 10 of Article XII of the Constitution relative to education.

Also favorably, with amendments, on—

Senate Bill No. 113:

A Bill to be entitled An Act to create a State School Book Commission and to procure for use in the public schools of the State of Florida a uniform series of text-books and to define the duties and powers of said Commission; to make preparations for carrying this act into effect, and providing penalties for violations of same as follows:

Add at the end of Section 14 the following: "Provided that nothing this bill shall be construed to effect any existing contracts now entered into by any of the county boards of public instruction for the purchase of text-books, but that after such contracts have expired, all contracts for the purchase of books or the use of such books shall be made and used in accordance with the provisions of this Act.

Provided further, That nothing in this Act shall be construed as effecting in any way any county in this State, which at this time is furnished free school books to its schools, except that when it may become necessary to purchase books, that the same be purchased and used as provided by this Act."

Also unfavorably on—

Senate Bill No. 123:

"A Bill to be entitled An Act to amend Section 351 of the General Statutes of the State of Florida relating to the duties of County Superintendents."

The Committee on Temperance reported favorably, with amendments, on—

Senate Bill No. 69:

A Bill to be entitled An Act to prevent any person, persons, firm or corporation from shipping or carrying intoxicating liquors into any county or precinct voting against the sale of the same except for private use, and to prescribe a penalty therefor.

After the word "druggists" in Section 1 add "except wine and for sacramental purposes."

The Committee on Game and Fisheries reported favorably on—

Senate Bill No. 90:

A Bill to be entitled An Act to amend Chapter 5429, An Act to require the payment of a license tax by aliens and non-residents taking oysters from natural oyster beds in this State and prescribing a penalty for their failure to pay such license tax or otherwise to comply with the provisions thereof, approved June 15, 1905.

The Committee on Public Health reported favorably, with amendments, on—

Senate Bill No. 98:

A Bill to be entitled An Act providing for an annual tax to be paid on all dogs, prescribing the manner in which said tax shall be paid and prescribing a penalty for any violation of this act. To-wit:

1. Add after Section 5 the following: Section 6. Should the owner of any dog make claim for his dog upon which the current dog tax has not been paid, and which is about to be killed, to the Sheriff or other officer, the said dog shall be delivered to such owner, upon the payment of the tax and the additional fee of fifty (50) cents for the officer, and upon such payment the officer shall provide such owner with a tag as provided in Section 2 of this Act."

2. In Section 3, line 2, insert the following: After the

words "current year" the officer lawfully killing any dog under this Act shall receive a fee of fifty cents, to be paid by the County Commissioners, upon proof being made that such dog was killed in pursuance of this Act.

3. In Section 1, line 1, strike out the word "November" and insert in lieu thereof the following "October."

4. In Section 1, line 3, strike out the words "Two dollars per head on all dogs in this State" and insert in lieu thereof the following: "One dollar per head on each male dog, and two dollars per head on each female dog."

5. In Section 2, line last, strike out the words "road fund" and insert in lieu thereof the following: "General fund."

Also favorably, with amendments, on—

Senate Bill No. 108:

A Bill to be entitled An Act to authorize the State Board of Health of Florida to employ a Sanitary Engineer whenever the said Board may consider the necessities of sanitation in and about the State may so require, and to further provide for his compensation.

Committee Amendment to-wit:

"Strike out all of Section 5.

Also report favorably with amendments on—

Senate Bill No. 128:

A Bill to be entitled An Act to create the Florida State Board of Dental Examiners, to provide for the appointment of its members, to prescribe the duties and powers of the board and its members, to require the examination by said board and its members of applicants for certificates to practice dentistry and dental surgery, to regulate the manner of issuing such certificates, to specify the charges therefor, to regulate the practice of dentistry and dental surgery in this State, to declare the practicing of dentistry or dental surgery without first having obtained and recorded such certificate to be a violation of this Act, and provide the punishment therefor, and for the violation of this Act, to declare the filing or attempting to file with said board or its members, certain spurious documents as a basis for the issuing of such certificates to be a violation of this Act, and to provide for its punishment, to provide for the cancellation of certain certificates, and to repeal all laws in conflict herewith; to-wit:

1. Strike out all of Section 15 of this bill.
2. At the end of Section 15 add the following:
 "Provided, that nothing in this Act shall be construed as exempting any one from the payment of a State and County license.

The Committee on Municipalities reported favorably on—

Senate Bill No. 45:

A Bill to be entitled An Act to abolish the present Municipal Government of the Town of Trenton, in the County of Alachua and State of Florida, and to establish, organize and constitute a Municipality, to be known and designated as the City of Trenton, and to define its territorial boundaries and to provide for its jurisdiction, powers and privileges, and for the exercise of same.

Also favorably on—

Senate Bill No. 71:

A Bill to be entitled An Act to incorporate the Town of Winterhaven, in Polk County, Florida, to establish a municipal government for said town, and to prescribe its jurisdiction and powers.

The Committee on Judiciary A reported favorably on—

Senate Bill No. 47:

A Bill to be entitled An Act permitting building and loan associations to increase their capital stock.

Also unfavorably on—

Senate Bill No. 30:

A Bill to be entitled An Act to amend Section 1 of Chapter 5900 of the Laws of Florida, entitled "An Act to amend Section 1586 of the General Statutes of the State of Florida as amended by Chapter 5647 of the Acts of 1907, the same being relative to the pay of jurors" Approved May 18, 1909.

The Committee on Finance and Taxation ask for further time for the consideration of—

House Bill No. 4:

A Bill to be entitled An Act providing for taxation of

and fixing the rate of taxation of inheritances, devises, bequests, legacies and gifts, and providing for the manner of payment as well as the manner of enforcing payment thereof, and penalty for violation of provisions of this Act.

And recommended that 200 copies of said bill be printed.

INTRODUCTION OF BILLS.

By Mr. McCreary—

Senate Bill No. 129:

A Bill to be entitled An Act relating to and prescribing the rules of pleading and practice in the County Judges' Court in the State of Florida.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Calkins—

Senate Joint Resolution No. 130:

A Bill to be entitled A Joint Resolution proposing an amendment to Article XII of the Constitution of the State of Florida, relative to education to be known as Section 16 of said article, providing for the levy of a special tax, for the support and maintenance of the rural graded and high schools, and the State Institutions of higher learning.

Which was read the first time by its title and referred to the Committee on Constitutional Amendments.

By Mr. McLeod—

Senate Bill No. 131:

A Bill to be entitled An Act for the protection of doves in the State of Florida, and prescribing a penalty for the violation of this Act.

Which was read the first time by its title and referred to the Committee on Game and Fisheries.

By Mr. Cook—

Senate Bill No. 132:

A Bill to be entitled An Act to amend Section 371 of the General Statutes of the State of Florida, relating to life certificates.

Which was read the first time by its title and referred to the Committee on Education.

By Mr. Baker—

Senate Bill No. 133:

A Bill to be entitled An Act defining commission merchants, requiring such merchants to give bond, imposing a penalty for pursuing the occupation of commission merchant when bond has not been made; providing that suit may be brought for such bonds, fixing the venue of such suits, repealing all laws in conflict and declaring an emergency.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Sloan—

Senate Bill No. 134:

A Bill to be entitled An Act providing for the payment to family or members of same, of any person convicted of crime from whose confinement the State or County shall receive any remuneration, either in work or cash for hire of such person, a part of the earnings of such convict.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Stokes—

Senate Bill No. 135:

A Bill to be entitled An Act relating to judgments and decrees of the Court of Record in and for Escambia County.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Stokes—

Senate Bill No. 136:

A Bill to be entitled An Act to prohibit the hauling, dragging or setting of seines, nets, traps, baskets, or other devices in Bayou Chico or Bayou Texar in Escambia County, Florida, and making it a misdemeanor to violate the provisions hereof.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Dayton—

Senate Bill No. 137:

A Bill to be entitled An Act authorizing all committing Magistrates, Sheriffs and Judges and other officers having authority to accept bonds, to accept cash bonds in criminal cases.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. McMullen—

Senate Bill No. 138:

A Bill to be entitled An Act to validate and confirm Ordinance No. 217 of the City of St. Petersburg, Florida, being entitled "An Ordinance vacating Second Avenue, North, between the west line of Fifth Street, and the east line of Lake Street."

Which was read the first time by its title and referred to the Committee on Municipalities.

By Mr. McMullen—

Senate Bill No. 139:

A Bill to be entitled An Act to prevent the harboring, employment or frequenting of minors and female persons in or about saloons or places where intoxicating liquors, wines or beer are sold and provide a penalty therefor.

Which was read the first time by its title and referred to the Committee on Temperance.

By Mr. Massey—

Senate Bill No. 140:

A Bill to be entitled An Act to prohibit the gathering, packing, shipping, sale or offering for sale, of green or unripe citrus fruits.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Massey (by request)—

Senate Bill No. 141:

A Bill to be entitled An Act to amend Section 2192 of the General Statutes.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Massey (by request)—

Senate Bill No. 142:

A Bill to be entitled An Act to amend Section 821 of the General Statutes of the State of Florida, entitled "Fees."

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Zim—

Senate Bill No. 143:

A Bill to be entitled An Act to amend the law relating to the liability of employers for injuries to their employes.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Zim—

Senate Bill No. 144:

A Bill to be entitled An Act to provide a statue of Napoleon Bonaparte Broward to be placed in the National Statuary Hall in the Capitol of the United States at Washington, in the District of Columbia, and to appropriate the sum of ten thousand dollars or so much thereof as may be necessary to carry out the provisions of this Act, and to constitute a commission to contract for said statue and present the same.

Which was read the first time by its title and referred to the Committee on Appropriations.

By Mr. Cook—

Senate Bill No. 145:

A Bill to be entitled An Act to prescribe the criminal jurisdiction of Justices of the Peace in counties having County Courts or Criminal Courts of Record.

Which was read the first time by its title.

By Mr. Cook—

Senate Bill No. 147:

A Bill to be entitled An Act to amend Section 3898 of the General Statutes of the State of Florida relating to the jurisdiction of Justices of the Peace.

Which was read the first time by its title and referred to the Committee on Judiciary A.

CONSIDERATION OF RESOLUTIONS.

Senate Concurrent Resolution No. 7:

Whereas, Many defects and imperfections are apparent, and many changes needed in our present Constitution; and,

Whereas, The onward march of civilization, and the unprecedented development of our State require a modern Constitution; and,

Whereas, The rapidly increasing population and progressive tendencies toward development of our State are, in a degree, retarded by our present Constitution; therefore,

Be it resolved, the House of Representatives concurring, That pursuant to Section 2 of Article XVII of the Constitution of the State of Florida, it is the sense of this body that a revision of our State Constitution is necessary; that the officers of this State be required to take such steps as the Constitution directs to secure the vote of the people on this question.

With the amendments recommended by the Committee on Constitutional Amendments, to-wit:

First, Insert the following title, "A Joint Resolution proposing a revision of the Constitution of the State of Florida." Second, Strike out the words "House of Representatives concurring" and insert in lieu thereof "Legislature of the State of Florida."

Was taken up and read the second time.

Mr. Davis moved that the Committee Amendments be adopted.

Which was agreed to.

Senate Concurrent Resolution No. 7, as amended, was referred to the Committee on Engrossed Bills.

Senate Concurrent Resolution No. 13:

A Memorial to the Congress of the United States, requesting an appropriation for Taylor's Creek.

Whereas, There is a populous territory lying north of Lake Okechobee which has no means of transportation except water transportation by the way of Taylor's Creek, Lake Okechobee and the Caloosahatchie river; and,

Whereas, The agricultural and commercial interests of the said territory are being greatly impaired by a lack of proper transportation facilities; therefore, be it

Resolved by the Senate and House concurring, That our Senators and Representatives in the Congress of the United States be requested to use every honorable means to procure an appropriation for the purpose of deepening the channel of Taylor's Creek to such extent as to render it readily navigable; and that the Secretary of State be directed to furnish each of our Senators and Representatives in Congress a copy of this Memorial, under the Great Seal of the State.

Was taken up and read the second time.

Mr. Hudson moved to adopt Senate Concurrent Resolution No. 13.

Which was agreed to.

And the same was ordered to be certified to the House of Representatives under the rule.

A message from the Governor was received and referred to the Committee on Governor's Messages.

By consent, the following report from Mr. Hosford, Chairman of the Committee on Pensions, was read:

Senate Chamber,

Tallahassee, Fla., April 13, 1911.

Hon. Fred P. Cone,

President of the Senate.

Sir:

Your Committee on Pensions, to whom was referred—

The Governor's Veto Message vetoing An Act to pension Joseph Gilmer, of Jefferson County, Florida, and providing for the payment thereof.

Have had the same under consideration and recommend that the veto of the Governor be sustained.

Very respectfully,

R. F. HOSFORD,
Chairman of Committee.

ORDERS OF THE DAY.

The "Act to grant a pension to Joseph Gilmer, of Jefferson County, and providing for the payment therefor," together with the Governor's objections thereto.

Was taken up.

Upon the question, "Shall the Bill pass, the objections

of the Governor to the contrary notwithstanding?" the roll was called and the vote was:

Nays—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—30.

So the Governor's veto was sustained.

Mr. Hudson moved that the Acts and the Governor's objections thereto, now in the possession of the Committee on Judiciary B, be made the order of the day for Wednesday next.

Which was agreed to.

Mr. Dayton moved to reconsider the vote by which the motion passed to make the Acts now in the hands of the Committee on Judiciary B made the order of the day for Wednesday next.

Mr. Hudson moved to waive the rules and that the motion to reconsider made by Mr. Dayton be now taken up out of its order.

Which was agreed to by a two thirds' vote.

The question recurred upon the motion to reconsider.

The motion to reconsider was agreed to.

Mr. Dayton moved that all special orders now on the calendar be stricken from the calendar.

Which was agreed to.

BILLS ON THIRD READING.

Senate Bill No. 8:

A Bill to be entitled An Act regulating the trial of minors, not married, in all courts, including municipal courts of this State.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 8, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Culpepper, Dayton, Flournoy, Hudson, Malone, Massey, McCreary, Miller, Perkins, Sloan, Stokes, Withers, Zim—18.

Nays—Senators Carney, Cook, Davis, Finlayson, Henderson, Hilburn, Hosford, Johnson, L'Engle, McLeod, McMullen, Williams, Wilson—13.

So Senate Bill No. 8 passed, title as stated, and was ordered to be certified to the House of Representatives.

Senate Bill No. 27:

A Bill to be entitled An Act to make mandatory at least one High School in each county of this State.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 27, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Calkins, Davis, Hudson, Massey, McCreary, McMullen, Perkins, Stokes, Williams, Zim—13.

Nays—Senators Broome, Carney, Cook, Culpepper, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Johnson, L'Engle, Malone, McLeod, Sloan, Wilson, Withers—17.

So the bill failed to pass.

Senate Bill No. 57:

A Bill to be entitled An Act to amend Sections 365 and 367 of the General Statutes of the State of Florida, relating to the certification of teachers' third grade certificates and first grade certificates.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 57, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—31.

So the bill passed, title as stated, and the same was ordered to be certified to the House of Representatives.

Senate Bill No. 58:

A Bill to be entitled An Act requiring teachers' summer training schools and making appropriations therefor.

Was taken up and was read the third time in full.

Mr. Henderson moved that the rules be waived and that Senate Bill No. 58 be placed back on its second reading.

Which was agreed to by a two thirds' vote.

BILLS ON SECOND READING.

Senate Bill No. 10:

A Bill to be entitled An Act to extend the jurisdiction of the process of the Mayor's or Municipal Courts and of city and town marshals and deputy marshals of the municipalities of the State of Florida.

Was taken up and read the second time in full.

There being no amendment Senate Bill No. 10 was passed to the Calendar of Bills on the Third Reading.

By unanimous consent the Senate resumed consideration of bills informally passed over on the third reading.

Senate Bill No. 46:

A Bill to be entitled An Act relating to the compensation of attorneys-at-law providing a lien as security thereof, and providing a method for enforcing same.

Was taken up and read the third time in full.

Mr. Stokes moved that Senate Bill No. 46 remain on the Calendar of Bills on the Second Reading and that it be referred to the Committee on Engrossed Bills.

Which was agreed to.

By unanimous consent the Senate resumed the consideration of—

Senate Bill No. 58:

A Bill to be entitled An Act requiring teachers' summer training schools and making appropriations therefor.

Now on its second reading.

Senate Bill No. 58 was again read in full for information.

Mr. Henderson offered the following amendment to Senate Bill No. 58:

Strike out the words "Five thousand dollars" wherever the same appears, and insert in lieu thereof the following: "Four thousand dollars."

Mr. Henderson moved the adoption of the amendment.

Which was agreed to.

Mr. Henderson moved to reconsider the vote by which the foregoing amendment was adopted.

Which was agreed to.

Mr. Henderson moved that the rules be waived and that the vote by which the amendment offered by him to Senate Bill No. 58 be now taken up and reconsidered.

Which was agreed to by a two thirds' vote.

So the vote by which the amendment was adopted was reconsidered.

By unanimous consent, the further consideration of Senate Bill No. 58 was temporarily deferred.

Senate Bill No. 48:

A Bill to be entitled An Act to appeal Section 3643 of the General Statutes of the State of Florida, relating to persons beating their way on railroad trains.

Was read the third time in full and was informally passed over.

Upon the passage of Senate Bill No. 48, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Fournoy, Henderson, Hilburn, Hosford, Hudson, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—31.

So the bill passed title as stated, and the same was ordered to be certified to the House of Representatives.

The Calendar of Bills on the Third Reading being exhausted, the Senate resumed consideration of Bills on the Second Reading.

Senate Bill No. 20:

A Bill to be entitled An Act to amend Sections 2996 and 2997 of the General Statutes of the State of Florida relative to negotiable instruments.

Was taken up and read the second time in full.

Mr. Hilburn, Chairman of the Committee on Judiciary B, under the rule, moved to indefinitely postpone Senate Bill No. 20.

Which was agreed to.

So Senate Bill No. 20 was indefinitely postponed.

Senate Bill No. 24:

A Bill to be entitled An Act to repeal Section 2238 of the General Statutes of the State of Florida relating to exemptions from liens for rent.

Was taken up and read the second time in full.

There being no amendment Senate Bill No. 24 was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 21:

A Bill to be entitled An Act prescribing a penalty for the sale of intoxicating liquors in counties and precincts voting against the sale of same, and to repeal Section 1 of Chapter 5960 of the Laws of Florida, Acts of 1907.

Was read the second time in full.

There being no amendment Senate Bill No. 21 was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 80:

A Bill to be entitled An Act to protect the secret work of fraternal orders, and to punish the publication, selling or circulation of any work purporting to be the secret work of any fraternal order, or which is claimed or represented to be such work.

Was taken up and read the second time in full.

Mr. Hilburn, Chairman of the Committee on Judiciary B, under the rule, moved to indefinitely postpone the bill. Which was agreed to.

So Senate Bill No. 80 was indefinitely postponed.

Senate Bill No. 100:

A Bill to be entitled An Act prohibiting fire insurance companies doing business in this State in the absence of fraud, misrepresentation or deceit upon the part insured from setting up lack of title in the insured as a defense against the payment of any policy.

Was taken up and read the second time in full.

There being no amendment, Senate Bill No. 100 was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 104:

A Bill to be entitled An Act to restrict contracts of insurance and to prohibit each and every insurance company, person, firm or corporation doing an insurance business in the State of Florida from inserting or placing in any policy or contract of insurance that may hereafter be entered into with any person in the State of Florida any provision or condition limiting the time in which suit may be brought or proof of death, sickness, fire, loss or companies doing business in this State in the absence of fraud, misrepresentation or deceit upon the parties insured from setting up right of title in the insured as a defense against the payment of any policy.

Was taken up and read the second time in full.
 There being no amendment Senate Bill No. 104 was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 94:

A Bill to be entitled An Act relating to the granting of letters of administration upon the estates of persons presumed to be dead by reason of long absence from the former domicile, and providing for the probating of the will of such absentees and for the annexation of such wills to letters of administration granted in such cases.

Was taken up and read the second time in full.

Mr. Massey offered the following amendment to Senate Bill No. 94:

In Section 6, line nineteen, strike out the word "certiorari" and insert in lieu thereof the following word: "Appeal."

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 94, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 103:

A Bill to be entitled An Act to amend Section 3266 of the General Statutes of the State of Florida, relating to penalty for carrying pistols or repeating rifle without first obtaining a license.

Was taken up and read the second time in full.

Mr. Hilburn, Chairman of the Committee on Judiciary B, under the rules, moved to indefinitely postpone Senate Bill No. 103.

Which was agreed to.

So the Bill was indefinitely postponed.

Senate Bill No. 13:

A Bill to be entitled An Act to authorize the County Commissioners of any county of this State to use for any special county purpose for the surplus money in the fund raised for general county purposes.

Was taken up and read the second time in full.

There being no further business Senate Bill No. 55 was placed on the Calendar of Bills on Third Reading.

Senate Bill No. 28:

A Bill to be entitled An Act to amend Section 3150

of the General Statutes of the State of Florida relating to liability of railroads for injuries to employes.

Was taken up and read the second time in full.

The following committee amendment was read:

By striking out the word "complainant" in the 4th line of Section 2, and insert in lieu thereof the word "plaintiff."

Mr. Hilburn moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

By striking out the word "contributable" in the 8th line of second section and insert in lieu thereof the word "attributable."

Mr. Hilburn moved to adopt the committee amendment.

Which was agreed to.

Also the following committee amendment was read:

By striking out Section 5.

Mr. Hilburn moved to adopt the committee amendment.

Which was not agreed to.

Mr. Zim offered the following amendment to—

Senate Bill No. 28:

In Section 2 at the end thereof, insert the following:

"And in no case shall the employe be held to have assumed the risk resulting in his injury or death so as to bar recovery. If such employe and the company, its agents or servants, are both at fault, the former may recover but the amount of such recovery shall be diminished or increased by the jury in proportion to the amount of default attributable to the injured or killed employe."

Mr. Zim moved the adoption of the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—

Senate Bill No. 28:

Strike out Section 5, and insert in lieu thereof the following: "Section 5. All actions and rights of action heretofore accrued under any law or laws which may be hereby repealed are hereby saved."

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 28, as amended, was referred to the Committee on Engrossed Bills.

By Mr. Malone—

Senate Bill No. 81:

A Bill to be entitled An Act to amend Chapter 5695

of the Laws of 1907 of the Laws of Florida, being An Act amending Section 775 of the General Statutes of the State of Florida, in relation to the compensation of County Commissioners.

Was taken up and read the second time in full.

Mr. Miller offered the following amendment to Senate Bill No. 81:

Strike out the words Section 2, and insert in lieu thereof the following: "Section 2. The latest census, National or State, shall govern the provisions of Section 1 of this Act."

Mr. Miller moved the adoption of the amendment.

Which was agreed to.

Senate Bill No. 81, as amended was referred to the Committee on Engrossed Bills.

Senate Bill No. 55:

A Bill to be entitled An Act to require that all railroad locomotives operated and used for drawing passenger and freight trains shall be equipped with and use an electric headlight and providing a penalty for a violation of said Act.

Was taken up and read the second time in full.

There being no amendment Senate Bill No. 55 was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 33:

A Bill to be entitled An Act to prevent the pollution of the streams and natural bodies of water of the State of Florida, and to prevent making any deposit of any substance therein which shall be destructive to the life of fish.

Was taken up and passed over informally.

Senate Bill No. 96:

A Bill to be entitled An Act to regulate and prescribe the practice of attorneys in criminal cases.

Was taken up and read the second time in full.

There being no amendment Senate Bill No. 96 was placed on the Calendar of Bills on the third reading.

By Mr. McCreary—

Senate Bill No. 72:

A Bill to be entitled An Act amending Sections 874,

Chapter 11 of the General Statutes of the State of Florida, relating to the division of counties into road districts.

Was taken up and read the second time in full.

There being no amendment Senate Bill No. 72 was placed on the Calendar of Bills on the third reading.

Senate Bill No. 26:

A Bill to be entitled An Act to provide for attorney's fee in certain cases on appeal or writ of error.

Was taken up and read the second time in full.

The following committee amendment was read:

After the words "less than twenty-five dollars" add the following: "Or more than fifty dollars."

Mr. Hilburn moved to adopt the committee amendment.

Which was agreed to.

The following committee amendment was read.

After the words "less than fifty dollars" add the following: "Or more than five hundred dollars."

Mr. Hilburn moved to adopt the committee amendment.

Which was agreed to.

Senate Bill No. 26, as amended, was passed informally.

Mr. Massey moved that the Senate do now adjourn to 10:00 o'clock tomorrow morning.

Which was agreed to.

Whereupon the Senate stood adjourned to 10:00 o'clock a. m., Friday, April 14, 1911.

FRIDAY, APRIL 14, 1911.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—31.

A quorum present.

Prayer by the Chaplain.